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September 14, 2001

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Via Hand Delivery

Ms. Magalie R. Salas,  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554



*Re: Ex Parte Presentations in CC Docket Nos. 96-98, 98-147, and 01-92*

Dear Ms. Salas:

Pursuant to Section 1.1206 of the Commission's rules, the Competitive Telecommunications Association ("CompTel") hereby gives notice that on September 13, 2001, its representatives met with Commissioner Kevin Martin, and Samuel Feder, Senior Legal Advisor to Commissioner Martin. CompTel discussed the attached presentation.

Representing CompTel were H. Russell Frisby, Jr., Carol Ann Bischoff, Robert McDowell, and the undersigned attorney.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jonathan Lee".

Jonathan Lee  
Vice President  
Regulatory Affairs

# *CompTel 2001: Policy Goals*

*H. Russell Frisby, Jr., President*

*Carol Ann Bischoff, Executive Vice President & General Counsel  
Robert McDowell, Vice President & Assistant General Counsel*

*Jonathan Lee, Vice President, Regulatory Affairs*

*September 13, 2001*



*CompTel aggressively advocates pro-competitive, open entry policies. CompTel represents its Members before the FCC, the U.S. Department of Justice, the federal courts, state*

*PUCs, the U.S. Congress and state legislatures. Internationally, CompTel participates in proceedings at the FCC, the U.S. Congress and the Office of the United States Trade Representative.*

# *CompTel Affiliations*

- *In addition, CompTel participates in the following*
  - *North American Numbering Council (NANC)*
  - *North American Numbering Plan Billing and Collection Agent (NBANC)*
  - *Rural Task Force (RTF)*
  - *Competitive Universal Service Coalition (CUSC)*
  - *Competitive Broadband Coalition (CBC)*
  - *Voices for Choices*
  - *No-Name Coalition*
  - *Smart Buildings Policy Project (SBPP)*
  - *Congressional Internet Caucus Advisory Committee*

# *CompTel 2001 Policy Mission*

- *To continue to serve as a powerful advocate for competitive communications providers on the key policy and regulatory issues of concern to them, whether local, national or international*

# *Five Principal CompTel Policy Objectives for 2001*

- *#1. Local Access*
- *#2. Competitive Broadband Access*
- *#3. Fair Compensation*
- *#4. Structural Separation*
- *#5. International Market Access*

# *Five Principal CompTel Policy Objectives for 2001*

- *CompTel's policy focus areas reflect its ever-evolving Membership:*
  - *CLEC/ICP*
  - *Long-haul Broadband*
  - *International*
  - *Internet*
  - *Energy*

# *CompTel Policy Objective #1: Local Access*

- *CompTel's 20-year commitment to competition extends to every corner of the market, particularly local access:*
  - *CompTel argues that all providers must have equal access to the “first mile,” with access to UNEs at economic cost*
  - *CompTel's battle to secure a truly competitive local telecommunications marketplace is being waged on many fronts*



# *CompTel Policy Objective #1: Local Access*

- *Unbundled Network Elements & Pricing*
- *UNE Combinations (e.g., UNE-P, EEELs)*
- *Line Sharing/Line Splitting*
- *New Networks Proceeding/Project Pronto*
- *Section 271*
- *Special Access Provisioning*

# *CompTel Policy Objective #1: Local Access*

- *UNE Remand (CC Docket No. 96-98)*
  - *CompTel Petition for Reconsideration* asks the FCC to increase the availability of unbundled local switching (ULS)
  - CompTel has urged the FCC to expand the number of lines on which competitors can provide service using ILEC ULS (i.e., the Unbundled Network Element Platform, or “UNE-P”)

# *CompTel Policy Objective #1: Local Access*

- *Enhanced Extended Link (“EELs”)*  
(CC Docket No. 96-98)
  - *CompTel v. FCC*, Case No. 00-1272, appeals the FCC’s interim use restrictions on the use of EELs (loop-transport combinations)
  - *CompTel* will oppose any restrictions on the use of UNEs and UNE combinations, because use restrictions contravene the requirement that access to UNEs be “nondiscriminatory”

# *CompTel Policy Objective #1: Local Access*

- *New Networks Proceeding/ Project Pronto*  
*(5th/6th FNPRMs, CC Docket No. 98-147)*
  - *CompTel has asked the Commission to clarify that an ILEC's obligation to provide nondiscriminatory network access is not dependent on network architecture*
  - *The Commission must ensure that future network deployments enhance and promote interoperability with current CLEC investment*

# *CompTel Policy Objective #1: Local Access*

- *Special Access Provisioning*
  - *CompTel has established a “Task Force” composed of CompTel member ICPs/IXCs/CLECs; all of which are critically dependent on ILEC special access*
  - *The purpose of the group is to raise the profile of this critical competitive issue, obtain nationwide performance monitoring, provisioning standards, and FCC enforcement*

## *CompTel Policy Objective #2: Competitive Broadband Access*

- *CompTel has proposed a forward-looking national broadband policy:*
  - *eliminate local broadband access bottlenecks*
  - *keep Internet free from unnecessary regulation and open for business to all*
  - *promote meaningful industry self-regulation as preferred approach to address consumer concerns*

# *CompTel Policy Objective #2: Competitive Broadband Access*

- *CompTel vigorously opposes the very real threat of the anti-competitive Tauzin/Dingell bill:*
  - *CompTel has met with numerous Members of Congress and their staffs to convince them to resist joining the Bells' legislative efforts and to support our alternative, pro-competitive legislation, which advocates UNEs, increased enforcement and structural separation*

# *CompTel Policy Objective #2: Competitive Broadband Access*

- *CompTel's Federal Broadband Advocacy:*
  - *“Break the Bottleneck” Strategic Communications and Grassroots Lobbying Campaign (4000 letters to Congress)*
  - *Annual Legislative Conference (April 19-21) Kingsmill Resort, Williamsburg, VA*
  - *Competitive Broadband Coalition (CBC)*
  - *Voices for Choices*
  - *No-Name Coalition*



# *CompTel Policy Objective #3: Fair Compensation*

- *As the umbrella association of competitive carriers, CompTel advocates for cost-based ILEC access charges for circuit-switched voice traffic; champions the right of CLECs to reciprocal compensation; and defends against efforts to impose legacy-based access charges on evolving packet-switched technologies (e.g., VoIP, VON)*

# *CompTel Policy Objective #3: Fair Compensation*

- *Inter-Carrier Compensation NPRM (CC Docket No. 01-92)*

- *CompTel supports the proposition that “a minute is a minute.”*
- *One area of concern with the Commission’s tentative conclusions in the NPRM is that if there is a positive incremental cost to terminate local traffic, a regulator-imposed price of zero may cause market distortions*

# *CompTel Policy Objective #4:*

## *Structural Separation*

- *CompTel believes that the RBOCs should be split into separate retail and wholesale affiliates. Structural separation:*
  - *minimizes or eliminates the inevitable conflict that results from an RBOC's dual competitor/supplier role*
  - *creates a level playing field*
  - *in the long-term, reduces the need for regulation*

# *CompTel Policy Objective #4: Structural Separation*

- *CompTel has led the industry in spearheading the issue of structural separation as the ultimate tool to speed the opening of local markets:*
  - *Pennsylvania PUC Verizon Order*
  - *State proceedings: Alabama, Florida, Georgia, Indiana and Tennessee*
  - *State legislative: Illinois, Maryland, Michigan, Minnesota*
  - *Capitol Hill (Hollings Bill)*

## *CompTel Policy Objective #5: International Market Access*

- *As early as 1996, CompTel was the first association to form an International Communications Committee, reflecting the association's ongoing commitment to competition on a worldwide scale, and to help its members navigate the often-complex rules, regulations and business practices of U.S. overseas trading partners.*

# *CompTel Policy Objective #5: International Market Access*

- *CompTel is actively urging policymakers to ensure that other countries satisfy their commitments under the World Trade Organization (WTO) Basic Telecommunications Agreement*
  - *CompTel 2001 USTR Section 1377 Telecom Trade Review Comments (Germany, Mexico, South Africa, Japan and Taiwan)*